

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KURTIS E. ARMANN,	)	
	)	
Petitioner,	)	Civil Action No. 04-118(E)
	)	
v.	)	Judge Sean J. McLaughlin
	)	Magistrate Judge Susan Paradise Baxter
WARDEN, FCI McKEAN,	)	
	)	
Respondent.	)	

**ORDER**

Upon consideration of Respondent's Notice of Appeal, it is hereby ORDERED on this \_\_\_\_\_ day of \_\_\_\_\_, 2006, that Respondent's Appeal is granted; the Magistrate Judge's Order of September 15, 2006 is vacated, and Petitioner's Motion for Evidentiary Hearing is denied.

\_\_\_\_\_, J.

cc: Thomas W. Patton, Federal Public Defender  
Christy Wiegand, Assistant United States Attorney